**THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE**

**and**

**THE HON'BLE DR. JUSTICE G.YETHIRAJULU**

**WRIT PETITION NO : 19340 of 2003**

09-09-2005

Between:

Suryapet Sankshema and Tax Payers Association, H.No. 1-4-12, Main Road, Suryapeta, Nalgonda District, (Regd.No. 145/79), rep. by its Prl. Secretary M. Murali Mohan

**..... PETITIONER**

AND

Government of Andhra Pradesh, rep. by its Principal Secretary,
Municipal Administration & Urban Development Department, Secretariat,
Hyderabad & Others.

**.....RESPONDENTS**

**THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE**

**AND**

**THE HON'BLE DR. JUSTICE G. YETHIRAJULU**

**WRIT PETITION No. 19340 of 2003**

**ORDER** : (Per Hon'ble Sri Bilal Nazki, ACJ)

This case was dismissed when the counsel for petitioner was not present. Thereafter, he moved an application and we recalled the dismissal order and heard learned counsel for the parties.

This writ petition is filed by an Association styled as 'Suryapet Sankshema and Tax Payers Association' through its Principal Secretary. The Association claims that it was formed for the welfare of the residents of Suryapet town with a view to protect the interests of the people of Suryapet town. According to the petitioner, the drinking water needs of Suryapet town were being met by drawing water from nearby Musi Project, which was at a distance of 14 k.ms. from Suryapet town. The said Musi Project was a Medium Irrigation Project with a capacity of 4469.23 MCFT at full tank level with an ayacut of about 30,183 acres. The State Government permitted drawal of 65 MCFT of water from the said Musi Project towards the drinking water needs of the town. Accordingly, a protected water scheme was formulated in the year 1972, whereunder, water was drawn from Musi project and after filtration, it was being supplied to the residents of the town. One Million Gallons a day was being supplied to the residents of Suryapet town after chemically treating the water drawn from the Musi Project. But the quantity of water was not sufficient as the population of the town was increasing and the per capita supply was 50 LPCD as against the accepted National standard of 140 LPCD. For the growing population, augmentation of water supply was found to be a necessity, therefore, Government considered various schemes for increasing the supply of water. Finally, it appears that a scheme was framed by the Government, of which, the petitioner Association is aggrieved on the grounds that although a Committee had been appointed and the Committee had recommended a

detailed examination, the Government did not conduct detailed investigations. Proper and scientific survey has not been conducted for execution of the project relating to augmentation of drinking water. There were certain alternative proposals and those were not considered by the Government.

The Municipality has filed their counter-affidavit, in which they have stated that the scarcity of water in the town was catching the attention of the Government as well as citizens and experts, therefore, the Government appointed an Expert Committee consisting of Member Secretary, APPCB, Sri M.Ram Mohan Rao, retired ENC, Public Health, Sri R.C. Reddy, Scientist & Head of Regional Laboratory, NEERI, Hyderabad, Chief Engineer Sri Neelam Sanjeeva Reddy of Sagar Project and Chief Engineer, Public Health. This Committee took into consideration all aspects of the matter and all alternative proposals. After the committee submitted its report, several apprehensions were expressed and the matter was referred to the Engineer-in-Chief (PH), Hyderabad and after considering his report and the report of the Committee, the Government decided the water supply improvement scheme for Suryapet Urban Town as Nagarjuna Sagar Left Canal at Dosapadu as water source, vide Government Memo No.1736/A2/2002, dated 18-06-2003. It is contended that the people of Suryapet town are in dire need of water and there is no other source other than Dosapadu Scheme and the experts have approved the scheme.

The learned counsel for petitioner submitted that reasons assigned by 1st and 2nd respondents for the purpose of rejecting the Musi Project as a source, was not passed on in-depth study and investigation. The said source was rejected on the ground that the water from said source would be highly polluted during summer. This argument could not be accepted because during summer, even otherwise, the water is supplied to Suryapet town from the same source. If this source was polluted, then why was that source used for supplying water to Suryapet town for thirty years ? It is further submitted that respondents had not properly conducted any scientific

surveys and having conceded by the respondents that the alternative proposals are under serious consideration, they could have not started the project.

The learned counsel for respondents on the other hand submitted that all alternate proposals were considered and in accordance with expert's view, the project was started. It is also stated during the course of hearing that the project has been started and is nearing completion. The writ petition had been filed in the year 2003. Two years have passed and in view of the fact that the project had been started after taking into consideration all alternative proposals and on the basis of the views of the experts, we do not find any ground to intervene in the matter.

Writ petition is accordingly dismissed. No order as to costs.

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(BILAL NAZKI, ACJ)

September 2005.

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(DR.G.YETHIRAJULU, J)

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